



State of Maryland

**Policies and Procedures
for
Vehicle Fleet Management**

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DEFINITIONS

AFV: An alternative fuel vehicle, either dedicated or dual-fueled, that can operate on fuel other than gasoline or diesel, i.e., a vehicle that can run on alternative fuel. For EPAAct purposes, gasoline/electric fuel system is not considered an alternative fuel vehicle.

ARB: Accident Review Board—Board made up of agency personnel to review all accidents involving those agencies vehicles.

AGENCY: A unit of the Executive Branch of State Government. Agency does not include the following:

- Insured Workers' Insurance Fund
- Maryland Automobile Insurance Fund
- Maryland Food Center Authority
- Morgan State University
- Register of Wills
- St. Mary's College
- University of Maryland System

AGENCY HEAD: The chief executive officer at the Agency, or the officer's designee.

ALTERNATIVE FUEL: Fuel other than gasoline or diesel such as methanol ethanol and other alcohols; mixtures of 85% or more of these other alcohols with other fuels such as gasoline; natural gas; liquefied petroleum gas; hydrogen; coal-derived liquid fuels; fuels derived from biological materials, electricity, etc.

ASSIGNED VEHICLE: Any State vehicle assigned to an individual in accordance with the DBM assignment criteria.

AUTHORIZED DRIVER: A State employee who meets the eligibility criteria to drive a State vehicle as set forth in the *Policies and Procedures for Drivers of State Vehicles*, and has certified an understanding of the rules by signing the Acknowledgement Statement.

BI-FUEL VEHICLE: Vehicles that have two fuel systems, one with an alternative fuel and one with a conventional fuel, and which may operate on one fuel at a time, or, in some medium- and heavy-duty systems, a combination of the alternative and conventional fuels.

BPW: The Maryland Board of Public Works

CENTRALLY FUELED: For purposes of the U. S. Department of Energy Policy Act of 1992 (EPAAct), a vehicle is considered centrally fueled when it can be refueled at least 75% of the time

at a location that is owned, operated, or controlled by the individual fleet agency or one of the statewide refueling locations.

COMMUTE MILES: Distance traveled between driver's home and the driver's assigned office location.

COMMUTE CHARGE : A bi-weekly charge assessed to non-exempt authorized drivers for commuting privileges.

COVERED AREAS: The following 14 jurisdictions within the State of Maryland have been identified as areas covered by EPAAct:

- Anne Arundel
- Baltimore
- Baltimore City
- Calvert
- Carroll
- Cecil
- Charles
- Frederick
- Harford
- Howard
- Montgomery
- Prince George's
- Queen Anne's
- Washington

COVERED FLEET: For purposes of compliance with EPAAct regulations, a covered fleet is an independent fleet of 50 or more non-excluded light duty vehicles (LDVs) owned and operated by the same Agency of which at least 20 LDVs are operated primarily in a covered area and can be centrally fueled.

DBM: The Department of Budget and Management

DEPARTMENT: Department of Budget and Management (DBM).

DOE: The United States Department of Energy.

EPAAct: The Energy Policy Act of 1992 administered by the Alternative Fuel Transportation Program within the U.S. Department of Energy (DOE).

EXCESS MOTOR VEHICLE: A motor vehicle that is declared by DBM as not necessary to the current or projected needs of the Agency to which the vehicle is assigned.

FLEET SERVICE CONTRACTOR: The contractor awarded the State contract to provide Statewide Fleet Services for those State vehicles enrolled with the Contractor.

FLEXIBLE-FUEL VEHICLE: Any motor vehicle engineered and designed to be operated on an alternative fuel, a petroleum fuel or a broad mixture of the two.

LDVs: A DOE/EPA term for light duty vehicles having a gross vehicle weight (GVW) of 8,500 pounds or less.

LTVs: Pick-up trucks and vans with a gross vehicle weight of 8,500 pounds or less.

LAW ENFORCEMENT OFFICER: A person who in an official capacity is authorized by law to make arrests.

MAINTENANCE SERVICE CARD: Card provided to agencies from the National Fleet Service Contractor used to obtain maintenance, repairs, and emergency road services from approved network vendors.

NATIONAL FLEET SERVICE AGREEMENT: An agreement between a National Fleet Service Contractor and the State permitting the State to access a network of maintenance and repair facilities and obtain National Fleet pricing on vehicle maintenance and repair services for those State vehicles enrolled with the Contractor.

OFFICE: The principal office or official duty station to which an authorized driver is assigned as determined by the Agency Head.

POOL VEHICLE: Any State vehicle that is not assigned to an individual.

SECRETARY: The Secretary of Budget and Management or the Secretary's designee.

SEDANS: Passenger cars used primarily for transport of persons and personal effects. Included are marked and unmarked police cars, which would ordinarily be considered sedans.

STATE FLEET ADMINISTRATOR: Director of DBM Fleet Administration Unit.

STATE VEHICLE: Any motor vehicle titled, rented or leased to the State of Maryland.

WEBFLEETMASTER: The State's web-based fleet information system.

1. INTRODUCTION

1.1 SCOPE

These policies and procedures apply to all State-owned or leased motor vehicles used for official State business within the Executive Branch of the State Government. These policies and procedures are adopted pursuant to State Finance and Procurement Article §3-503 of the Annotated Code of Maryland. Unless otherwise provided, all requests, reports and forms required by these policies are to be submitted to the State Fleet Administrator in the DBM Fleet Administration Unit.

These policies and procedures are designed as minimal requirements and do not prohibit agencies from establishing and enforcing more stringent requirements within their own jurisdiction. State agencies shall establish necessary procedures to ensure compliance with established policies and procedures.

1.2 EXCEPTIONS

The Maryland Port Administration is exempt for purposes of purchase, lease or rental of vehicles only.

All other exceptions to any of the provisions of the Policies and Procedures for Vehicle Fleet Management require written authorization from the Secretary.

1.3 FAILURE TO COMPLY WITH THE POLICIES AND PROCEDURES

Failure to comply with these policies and procedures may subject an employee to disciplinary action, including termination.

2. DRIVER ELIGIBILITY AND USAGE

Only authorized drivers are eligible to drive a State vehicle. The privilege to drive a State vehicle is contingent upon compliance with the Policies and Procedures for Drivers of State Vehicles.

Prior to driving a State vehicle, the driver shall sign the Policies and Procedures Acknowledgement Statement (Appendix 1). A copy of the signed Acknowledgement Statement shall be kept on file with the Agency fleet manager. Drivers who do not sign the Acknowledgement Statement are NOT authorized to drive State vehicles.

2.1 DRIVER ELIGIBILITY

In order to be eligible to drive a State vehicle a driver must have a driver's license valid in the State of Maryland and appropriate for the class of vehicle driven and have five (5) or fewer points on his/her current driving record.

Eligibility shall be immediately suspended for a driver who is charged with any motor vehicle violation for which a penalty of incarceration is possible while driving a State vehicle. Motor vehicle citations for these violations will indicate that the violation is a "Must Appear" violation and that the driver must appear when notified by the Court. If you have any questions regarding violations for which a penalty of incarceration is possible, information is available on the Court website www.courts.state.md.us/district/forms/criminal/dccr90.pdf. Eligibility shall remain suspended until the Agency's Accident Review Board has reviewed the occurrence, and a decision regarding further action is made.

Drivers who have had their driving privilege suspended as a result of point accumulation, being charged with any violation for which a penalty of incarceration is possible while driving a State vehicle, or a determination by the Accident Review Board or Agency Head shall be reimbursed for use of a private vehicle at no more than one-half of the effective State reimbursement rate.

2.2 DRIVER RECORD REVIEW

The driving record of each authorized driver will be reviewed by the Agency when the driver signs the Acknowledgement Statement and when information is received regarding an authorized driver's point accumulation via the MVA's Flag System.

All State Agencies are to utilize the MVA's Special Attention Code Flag System as a resource in performing the driver record review function. For more information contact:

Section Manager, Division of Administrative Adjudication
Motor Vehicle Administration 6601 Ritchie Highway, N.E.
Glen Burnie, MD 21062
410-768-7225

Drivers with out-of-state driver's licenses must provide a certified copy of their driver record to the Agency when they sign the Acknowledgement Statement, and annually thereafter. Drivers with out-of-state driver's licenses must notify their Agency fleet manager in the event they accumulate more than five (5) points on their driving record. This notification must occur within ten (10) days of the points being assessed.

Accessing driver records other than as provided for above is not authorized and may result in disciplinary action.

2.3 PERMISSIBLE USE OF STATE VEHICLES

State vehicles are to be used to conduct official State business. Whenever possible, trips should be planned to coincide with other authorized driver travel requirements so that vehicles are used efficiently and economically.

- a. State vehicles shall not be used for personal reasons, including to transport friends or members of the family (e.g., transporting children to and from school).
- b. Passengers in State automobiles are limited to persons being transported in connection with State business.
- c. There shall be no smoking in State vehicles.

2.4 STATE POLICE

The Superintendent of Maryland State Police may grant permission to off-duty State Police officers to use police vehicles during off-duty hours. Only the officers to whom permission has been granted may operate the vehicles while off duty and only when these vehicles are not needed by on-duty officers.

2.5 VEHICLE MILEAGE LOG

- a. A Vehicle Mileage Log shall be maintained in each State sedan or LTV on a monthly basis.
- b. All drivers must complete a Vehicle Mileage Log, indicating all destinations by official and commute mileage. Agencies are required to maintain these logs for audit purposes. A Vehicle Mileage Log is included as Appendix 2.
- c. Elected Officials, Department Secretaries and heads of independent Agencies are not required to maintain a Vehicle Mileage Log. However, month-ending odometer readings must be reported in WebFleetMaster for each vehicle driven by an Elected Official, Department Secretary or independent Agency Head.

2.6 SAFETY

All drivers shall operate State vehicles in compliance with the Motor Vehicle Laws of the jurisdiction in which vehicle is being driven and in a manner that reflects concern for safety and courtesy towards the public.

- a. An authorized driver shall operate a State vehicle in accordance with any license requirements or restrictions, such as corrective lenses, daytime only, etc.

- b. The driver of a State vehicle should take every precaution to ensure the safety of passengers. No person may ride in a State vehicle unless properly restrained by a seat belt or, in the case of children, an appropriate child safety seat. It shall be the driver's responsibility to ensure that all passengers are properly restrained.
- c. All traffic and parking laws are to be obeyed. Posted speed limits are not to be exceeded, nor is the vehicle to be operated above safe driving speeds for road conditions. All traffic and parking violations and fines, including any late fees or penalties, are the responsibility of the driver involved. Failure to promptly pay a violation or fine may result in disciplinary action.
- d. The use of a wireless phone by the driver in a moving State vehicle is strongly discouraged, except in cases of emergency. A driver should make every effort to place or receive calls when the vehicle is not moving.
- e. The driver of a State vehicle shall take every precaution to ensure the safety of the vehicle and its contents. The driver shall lock the vehicle and take the keys except in those instances when a commercial parking garage requires the keys be left with the vehicle.
- f. Authorized drivers of State vehicles are personally responsible for vehicles operated by them. If a State vehicle is damaged beyond repair as a result of misuse or gross negligence, the operator of the vehicle may be required to make restitution of the difference between the amount obtained as salvage value and the amount of the then current wholesale value of the vehicle as reported in the *National Auto Research Black Book Used Car Market Guide, MD Edition*.

2.7 MOVING VIOLATION REPORTING

An authorized driver, including an Agency Head, charged with a moving violation or a must appear violation while driving a State vehicle shall notify his/her Agency fleet manager immediately, and in no case later than the following business day. In turn, the Agency shall notify DBM in writing within two business days of receiving notice of the charge. Failure to timely report the receipt of a moving violation may result in disciplinary action.

2.8 ACCIDENT GUIDELINES AND REPORTING

Agencies shall maintain a copy of the State's Accident Guidelines (Section A of Appendix 7) in the mileage log folder for each State vehicle.

Authorized drivers should familiarize themselves with the State's accident guidelines, which are to be provided to the driver along with a copy of the Policies and Procedures for Drivers of State

Vehicles. In the event there is an accident involving a State vehicle, the guidelines should be followed.

An authorized driver, including an Agency Head, who is involved in an accident while driving a State vehicle shall report the accident to their Agency fleet manager immediately, and in no case later than one business day after the accident, even if no other vehicle is involved or there are no apparent injuries or damages. The Agency shall notify DBM in writing within two business days of receiving notice of the accident if the damage cost is anticipated to exceed \$1,000 or personal injury is involved. This information should include the vehicle(s) involved, the driver's name, the date of the accident, the type of accident, and whether injuries were involved.

DBM notification is not required in the event the authorized driver involved in an accident is a law enforcement officer.

3. SUMMARY OF AGENCY RESPONSIBILITIES PRIOR TO AUTHORIZING A DRIVER TO DRIVE A STATE VEHICLE

Prior to authorizing an individual to drive a State vehicle, the Agency shall:

1. Provide the driver with a copy of the Policies and Procedures for Drivers of State Vehicles, and explain the State of Maryland Vehicle Policies and Procedures as they pertain to the driver.
2. Obtain a signed Acknowledgement Statement that the driver has read the Policies and Procedures for Drivers of State Vehicles.
3. Check the individual's driving record through the MVA's Special Attention Code Flag System to ensure that the driver is eligible to drive a State vehicle. For drivers with out-of-state licenses, check the certified driver record provided by the employee to ensure that the driver is eligible to drive a State vehicle.
4. Ensure that a copy of the State's Accident Guidelines and current vehicle log are included in each vehicle's Mileage Log folder.
5. Ensure that drivers that are assigned a vehicle complete either an MFOMS 17 or 18.
6. Ensure that all vehicle assignments and the status of commute payments/exemptions are recorded in WebFleetMaster at the time of the assignment.

4. VEHICLE ASSIGNMENT

4.1 ASSIGNMENT CRITERIA

Whenever practicable, Agencies shall pool State vehicles to increase utilization of vehicles and promote flexibility of driver transportation. When an Agency decides that it is in the best interest of the State, individual authorized drivers may be assigned a State vehicle. Other than as provided in Section 4.3 below, assignment of vehicles shall be based in the following criteria:

1. State vehicles should only be assigned by Agencies to those authorized drivers who travel the greatest number of official miles in excess of 10,000 miles per year, unless the Agency and DBM determine that the use of a State vehicle is required for the efficient operation of a State program regardless of the miles traveled.
2. State vehicles may be assigned by Agencies to those authorized drivers who have specific field assignments when it is in the State's best interest.
3. State vehicles may be assigned by Agencies to those authorized drivers who have a need for specialized vehicle equipment in the performance of the driver's job.
4. State vehicles shall not be assigned to an individual whose driving record indicates the inability to operate a vehicle in a safe or responsible manner.

Every authorized driver who is assigned a State vehicle and who is not exempted by DBM must pay a commute charge. Agencies must document the vehicle assignment as well as the commute status or exemption of the assigned driver on WebFleetMaster at the time of vehicle assignment.

Assigned vehicles shall not transfer with authorized drivers who move to another position. When a vehicle assignment is terminated, the assigned driver may be given up to 30 days after notice of vehicle assignment termination to make other arrangements for transportation. Upon vacancy, the positions that are assigned vehicles shall be re-evaluated by the Agency to determine the continued need to assign a State vehicle to the position.

Passenger vehicles for authorized drivers other than law enforcement and those drivers identified in Section 4.3 below, will comply with the appropriate standard specifications.

4.2 OFFICIAL MILEAGE REQUIREMENT

Agencies shall monitor usage of each State vehicle to ensure that vehicles failing to accumulate at least 10,000 official miles annually are still required for State Agency operations and are assigned to assure the most efficient and effective use of the vehicle.

DBM may notify an Agency that a vehicle must be reassigned due to improper or inefficient assignment. Upon notification, the Agency shall reassign the vehicle within thirty (30) days.

4.3 AGENCY HEADS AND ELECTED OFFICIALS

Cabinet Secretaries, Deputy Secretaries, and Heads of major independent Agencies not under a Secretariat as approved by the Secretary shall be eligible for an executive type State vehicle.

Elected Officials are eligible for upgraded executive sedans.

4.4 DRIVERS NOT EMPLOYED BY THE STATE

The Department, upon written request from the affected Agency, may authorize drivers not employed by the State to operate State vehicles for official State business. Examples of such situations might include local government employees assigned to a State Agency or student volunteers engaged in approved institutional activities. The request shall include:

- The name of the requesting Agency.
- The driver's name and license number.
- The duration and description of condition for vehicle use.
- A statement of liability/accident coverage by the local government involved.
- A statement from the local government that it will defend any claims and will indemnify and hold harmless the State for any liability arising out of the operation of a State vehicle by a local government employee.
- An Acknowledgement Statement (Appendix 1) signed by the driver and on file with the Agency.
- Certification that the driver record has been checked and the driver has five (5) or less points.

Non-State employed authorized drivers approved to use a State vehicle are bound by the same policies and procedures as any authorized driver.

Authorization by DBM for individuals to operate a State vehicle does not automatically include that individual under State insurance coverage and/or the protections of the Maryland Tort Claims Act. Agencies with specific concerns should contact their Agency Insurance Coordinator or the Agency's Attorney General's office.

5. COMMUTE

Except as otherwise provided in 5.1 below, an assigned driver who is authorized to use a State vehicle for commuting purposes shall be subject to a commute charge to be collected by payroll deduction each pay period. Assigned drivers who pay commute charges as well as those who are exempt from paying commute charges may still incur tax liabilities. Each employee or

official is responsible for compliance with State and Federal income tax laws relating to the use of motor vehicles as discussed in Section 6.

5.1 EXEMPTIONS

The following are exempt from paying the commute charge:

- Governor
- Lieutenant Governor
- Comptroller
- Attorney General
- Treasurer

All other assigned drivers will be subject to the commute charge except those exempted by DBM. These exemptions may be made only if the exemption, on balance, serves to benefit the State and not the individual driver, and only after the Agency Head and DBM have made a determination that the vehicle assignment comes within any of the following conditions:

1. Assigned vehicle is not used to commute but remains parked overnight at the authorized driver's assigned office. Vehicles that are driven by authorized drivers from their assigned office to a regional office, branch, or any other type of sub-unit of the State and parked overnight do not qualify under this exemption.
2. Vehicle is assigned to an authorized driver whose duties are primarily field assignments and who reports to the designated office on an average of once a week or less as certified by the Agency Head. An authorized driver who's designated office is a regional or branch office must use his or her designated office for purposes of determining exemption eligibility. Authorized drivers shall not selectively choose a designated office site for purposes of qualifying for a commute exemption.
3. Vehicle is assigned to a Law Enforcement Officer.
4. Vehicle is equipped with highly specialized, affixed or bulky equipment necessary to respond to emergency needs, and the assigned driver is subject to emergency call out at times other than scheduled working hours. Examples of vehicle types are bomb disposal trucks, haz-mat response trucks, and traffic signal repair trucks. Vehicles must be specifically designed and used to carry and store the highly specialized emergency equipment. Equipment that easily can be transported in any vehicle, such as two-way radios, emergency lights, and other job incidental ancillary equipment, does not qualify as highly specialized.

Exemptions must be documented on the MFOMS-18 Certification of Exemption, State Motor Vehicle Commute Charge approved by the Agency Head and DBM (Appendix 3). These exemptions shall be subject to audit.

The Agency is responsible for reporting driver commute exemption status on DBM's WebFleetMaster Information System when the exemption is approved by DBM.

5.2 COMMUTE CHARGE FORM

A State Auto Commute Charge Form MFOMS-17 (Appendix 4) shall be completed by the Agency for each assigned driver who does not have a DBM approved MFOMS-18 exemption. Agencies are responsible for verifying the accuracy of the information provided on the MFOMS-17. Completed MFOMS-17s shall be forwarded to DBM for processing. These forms shall be returned to the Agency after processing. Agencies shall maintain files containing all completed MFOMS-17.

The Agency is responsible for reporting driver commute status information on DBM's WebFleetMaster Information System when the driver is assigned a vehicle.

5.3 COMMUTE REIMBURSEMENT RATE

The commute reimbursement rate shall be established by DBM. The current commute reimbursement rate table is available on the DBM website at <http://www.dbm.maryland.gov> (select *Other Services*, then select *State Fleet Management Services*).

Commute charges paid via payroll deduction by an authorized driver for use of a State vehicle to commute will be credited by Central Payroll directly to the respective Agency's Object .07 account. Any refunds to authorized drivers for the commute program will be paid from the Agency's Object .07 via a State of Maryland Expense Account (COT/GAD Form X-5).

5.4 COMMUTE REFUND POLICY

Drivers who have paid commute charges may be eligible to receive refunds under the following conditions:

a. CHANGE IN AMOUNT OF COMMUTE

A driver may be eligible for a refund if the driver has moved and the move results in a reduction of commute miles. The driver shall be reimbursed for the difference between what was paid and what should have been paid from the time the change becomes effective until the time the change is reflected in the payroll deduction. For changes occurring during a pay period, the refund shall be calculated on a pro-rata basis for that pay period.

b. CHANGE IN VEHICLE ASSIGNMENT

A driver may be eligible for a refund for that period when the vehicle assignment was not subject to a commute charge (e.g., a State vehicle is no longer assigned to the driver, a change in driver's work assignment results in an exemption, etc.). The

driver shall be reimbursed for the difference between what was paid and what should have been paid from the time the change becomes effective until the time the change is reflected in the payroll deduction. For changes occurring during a pay period, the refund shall be calculated on a pro-rata basis for that pay period.

5.5 COMMUTE RECORDS

All commute miles shall be recorded in the Vehicle Mileage Log. If an authorized driver leaves home in a State vehicle and comes to the assigned office any time during the day, the normal one-way commute mileage shall be recorded on the Vehicle Mileage Log. If the authorized driver returns home that same day, a normal two-way commute shall be recorded on the Vehicle Mileage Log. However, if an authorized driver leaves home and conducts business without stopping at the assigned office, mileage up to the driver's normal round trip commute is to be recorded as commute miles on the Vehicle Mileage Log, and only those miles in excess of the driver's normal commute are to be recorded as official miles on the Vehicle Mileage Log.

Authorized drivers whose duties are primarily field assignments and who report to the designated office on an average of once a week or less, and have a DBM approved commute exemption (see Section 5.1) are not required to record commute miles.

As provided in Section 2.4 Elected Officials, Department Secretaries and heads of independent Agencies are exempt from this requirement.

5.6 COMMUTE IN NON-ASSIGNED VEHICLES

There shall be no commuting in non-assigned vehicles except as provided below.

a. POOL VEHICLES

Pool vehicles shall be restricted to official business use only. The only exception to this policy will be for the convenience of the State, and will be limited to an occasional one-way commute to provide for early departures to or late return from field assignments for official business purposes as approved by the Agency.

b. SECURITY RISK

When the Agency certifies there is a lack of adequate security for overnight parking of vehicles, and subject to DBM approval, authorized drivers who are not assigned drivers may be allowed to commute in vehicles in order to enhance vehicle security. These drivers are subject to the commute charge unless exempted in writing by DBM. Drivers may incur tax liability and be required to report fringe benefit value to the State (see Section 6).

In such cases, the Agency must provide DBM with documentation on actual State or privately owned vehicle losses or on the factors that support an expectation that losses will occur in the parking area due to lack of security, and provide evidence that the cost of overnight secure parking would exceed the cost of commuting, or certify that no secure facilities are available in the area.

6. FRINGE BENEFIT

6.1 TAX LIABILITY

Every individual who commutes in a State-owned or leased motor vehicle is required to report the use of the vehicle as a fringe benefit for income tax purposes. This requirement applies to authorized drivers who pay the State commute charge as well as those who the State exempts from paying commute charge. The exception is those employees who commute on an occasional or infrequent basis (once a month or less) or commute in a qualified nonpersonal-use vehicle as defined by the IRS. In both cases, exceptions must be determined by the agency.

Each individual is personally responsible to the IRS for the submission of accurate information to his employer. The taxable fringe benefit will be calculated based on IRS guidelines, and reported annually on an Auto Fringe Value Calculation/Reporting Form (see Appendix 5 for a sample Reporting Form). For certain reporting categories, these benefits include all capital costs and expenses incidental to the operation of the motor vehicle, including all salaries, fringe benefits and other expenses of a chauffeur less the amount paid to the State for use of a vehicle.

DBM will annually notify agencies of reporting requirements.

6.2 AGENCY RECORD KEEPING AND NOTICE

Agencies must keep records that are sufficient to identify individuals who commute in State vehicles more than once a month and the mileage driven for such commute usage. This information should be available from the Vehicle Mileage Logs.

Agencies shall ensure that those individuals who commute in a State vehicle more than once a month receive reporting instructions and submit an Auto Fringe Value Calculation/Reporting Form. Prior to submitting the forms to DBM, agencies will review the forms for accuracy.

6.3 NONPERSONAL-USE VEHICLES

Agencies, based on guidance from DBM, must identify those vehicles within their fleets that qualify as nonpersonal-use for IRS reporting. Those vehicles determined to be nonpersonal-use vehicles must be documented in WebFleetMaster, and detailed documentation for these determinations must be kept on file at the Agency.

6.4 TAX WITHHOLDING

The State of Maryland does not deduct and withhold Federal and State income taxes with respect to the non-cash fringe benefits attributable to an individual's personal use of a State vehicle provided by the State. Instead, the value of the fringe benefit will be included on the individual's last two bi-weekly earnings statements of the year and on the annual Wage and Tax Statement (Form W-2) and all applicable taxes will be withheld.

More information concerning the fringe benefit program is available on the DBM website at <http://www.dbm.maryland.gov> (select *Other Services*, then select *State Fleet Management Services*).

7. VEHICLE SAFETY

7.1 FLEET SAFETY COORDINATOR

Agencies shall identify a Fleet Safety Coordinator. The Fleet Safety Coordinator shall:

1. Promote and coordinate Agency vehicle safety and driver training.
2. Participate on the Agency's Accident Review Board.
3. Coordinate with the State Treasurer's Office Insurance Manager and/or the Agency insurance coordinator concerning Agency vehicle accidents.
4. Ensure and coordinate appropriate completion (see Appendix 6) of the:
 - Accident Report (AUTO LOSS REPORT form)
 - Motor Vehicle Investigation Guide (FS-1 Form)
 - Accident Review Board Work Sheet (FS-2 Form)
 - Corrective Action Evaluation Sheet (FS-3 Form)
 - Approved Recommendations/Determinations

7.2 MOVING VIOLATION REPORTING

Agencies are required to notify DBM in writing within forty-eight (48) hours of receiving notice of any moving violation committed by authorized drivers while driving a State vehicle.

7.3 ACCIDENT CONTROL AND REPORTING

Agency accident/control/reporting procedures are listed in Appendix 6 of this document.

In addition to the procedures listed in Appendix 6, agencies are required to notify DBM in writing within two business days of receiving notice of an accident for those accidents anticipated to exceed \$1,000 in damage costs, or involving personal injury. This information should include

the vehicle(s) involved, the driver's name, the date of the accident, the type of accident, whether injuries were involved. A Copy of the Accident Report (Auto Loss Report Form) submitted to the Insurance Division must also be provided to DBM at the time it is provided to the Insurance Division. DBM notification is not required in the event the authorized driver is a law enforcement officer.

7.4 REMEDIAL SAFETY TRAINING

Agencies shall provide remedial driver training to those employees identified by the Agency Accident Review Board as needing such training. At a minimum, training shall include:

1. Safe vehicle operation
2. Defensive driving techniques
3. Preventable accidents and Accident Prevention

Agencies shall provide an Agency Fleet Safety Training Activity Report annually to DBM detailing safety training provided to employees (see Appendix 7).

7.5 AGENCY ACCIDENT REVIEW BOARD

Agencies shall establish an Agency Accident Review Board. The Board shall :

1. Review Agency vehicle accidents to determine:
 - Driver history/performance.
 - Accident cause(s)/conditions.
 - Accident preventability.
 - Necessary driver corrective action.

The Board shall provide a summary of findings and recommendations to the Agency Head or designee. If the accident is found preventable, the Board shall recommend driver corrective action (see Appendix 6).

2. Review all incidents involving must appear violations, including the court determination, and make recommendations for appropriate action.
3. Provide recommendations as appropriate to the Agency Head, or designee, for the overall safe operation of the fleet.

The Agency Head, or designee, shall review Accident Review Board findings and recommendations. Approved recommendations shall be returned to the appropriate supervisor for action.

7.6 STATE ACCIDENT REVIEW BOARD

A State Accident Review Board shall be appointed by the Secretary to review accidents and must appear violations where a State Agency Head is the driver.

8. REIMBURSEMENT FOR PARKING, TOLLS AND USE OF PRIVATE VEHICLES

8.1 REIMBURSEMENT FOR PARKING AND TOLLS

State employees shall be reimbursed for legitimate and documented parking and toll expenses incurred while conducting State business.

8.2 REIMBURSEMENT FOR USE OF PRIVATE VEHICLES

State employees may be required to use their privately owned vehicles in order to carry out their assigned duties if a State vehicle is not available or, if the State employee does not satisfy the eligibility criteria or has their privilege to drive a State vehicle suspended. The State is not required to provide a State vehicle to employees who refuse to use their private vehicles to perform their assigned duties.

Authorized drivers who use privately owned vehicles for official State business should be reimbursed in accordance with the DBM approved rate, except as noted below.

1. An authorized driver who chooses to use a privately owned vehicle for official business when a State vehicle is available shall be reimbursed at one-half the ordinary standard rate for the use of privately owned vehicles.
2. A driver who does not meet assignment criteria or whose privilege to drive a State vehicle has been suspended by the Agency shall be reimbursed at one-half the ordinary standard rate for the use of privately owned vehicles.

The mileage reimbursement rate includes reimbursement for the cost of insurance. Therefore, the State shall not reimburse authorized drivers for any increased insurance premiums attributable to use of their vehicle for State business.

The current private mileage reimbursement rate is available on the DBM website at www.dbm.maryland.gov (select *Other Services*, then select *State Fleet Management Services*).

8.3 REIMBURSABLE MILEAGE

These policies apply to any day in which the driver travels in a privately owned vehicle to conduct State business. Reimbursement shall be as follows:

1. A driver who leaves the office to conduct business in the field and returns to the office may be reimbursed for all mileage directly connected with the business trip (i.e. mileage from the office to the field site and back to the office) because the driver will have driven his normal daily commute to and from the office by the end of day.
2. A driver, who conducts State business prior to coming into the assigned office, or on the way home from the assigned office, may be reimbursed for all mileage in excess of the daily round trip commute miles normally traveled.
3. A driver who leaves home to conduct business and returns home without stopping at the assigned office may be reimbursed for all mileage directly connected with the business trip, which is in excess of the round trip commute miles normally traveled (i.e., total miles driven minus normal daily round trip commute miles). In this situation, the driver has not driven a normal daily commute and therefore must subtract it from the total miles driven.
4. In no event shall a driver be reimbursed for commuting to and from their assigned office.

8.4 REIMBURSEMENT MANAGEMENT AND REPORTING

The Agency is responsible for ensuring that reimbursement of authorized drivers for the use of privately owned vehicles is controlled and authorized only in the State's interest. The Agency is also responsible for reporting private mileage reimbursement information in WebFleetMaster (also see Section 15).

9. ACQUISITION, LICENSING, TRANSFER AND DISPOSITION OF VEHICLES

9.1 ACQUISITION POLICIES

State automobiles, light trucks and vans are purchased in accordance with specifications developed by DBM and approved by the Board of Public Works. The Department of General Services is the procuring Agency.

Acquisitions of all motor vehicles (including new, used, gift, surplus or leased) must be approved by DBM before the Agency enters into a contract for or makes use of the vehicle. The sole exception to this policy is for passenger vehicles rented through the travel services contractor while in travel status. (See Standard Travel Regulations COMAR 23.02.01.)

Agency vehicle acquisition and related expense and performance data shall be reported in WebFleetMaster.

9.2 ACQUISITION OF ALTERNATIVE FUEL VEHICLES

At least 75% of the non-excluded LDVs purchased by an Agency fleet covered by EPO Act regulations during the annual reporting period shall consist of AFVs. Federal EPO Act regulations define a “covered fleet” as a fleet that meets the following criteria:

1. An Agency fleet owns or operates at least 50 “non-excluded” LDVs, and
2. At least 20 of these non-excluded 50 LDVs are operated primarily in a covered area and can be centrally fueled.

LDVs “excluded” from the EPO Act acquisition requirement are:

1. Emergency motor vehicles – Vehicles legally authorized to exceed the speed limit when speed is required to save lives or property. Examples include rescue vehicles, fire trucks and ambulances.
2. Law enforcement vehicles – Vehicles operated for the purpose of law enforcement activities.
3. Non-road vehicles – Vehicles used principally for industrial, farming or commercial use; for transportation at airports; for marine purposes; and other vehicles not licensed for on-road use.
4. Assigned/Commute vehicles – Vehicles that are parked at private residences when not in use.

For purposes of EPO Act annual reporting requirements, LDVs acquired from September 1 of the previous year through August 31 of the current year are included in the vehicle acquisition count. For example, LDVs included in the 2005 count would include vehicles acquired from September 1, 2004 through August 31, 2005. The acquisition date is defined in EPO Act regulation as that day in which the Agency took physical possession of the vehicle.

9.3 VEHICLE LICENSING

Any time a vehicle is purchased or otherwise acquired, the Agency shall present the Certificate of Origin, and application for New Vehicle Title and application for transfer of old, or issuance of new, tags to MVA for processing.

9.3.1 STATE GOVERNMENT TAGS

Except as provided in Section 9.3.2 a special license tag reflecting that the vehicle is a State vehicle shall identify all State vehicles.

Statewide Elected Officials and members of their staff as designated by the Elected Official, Department Secretaries and Deputy Secretaries are exempt from this requirement.

9.3.2 UNMARKED LICENSE TAGS

The Department may approve requests for unmarked license tags for State vehicles. Requests for unmarked license plates shall be made by the Agency Head in writing to DBM.

Unmarked license tags on State vehicles may be permitted for the following:

1. Executive appointees requiring legislative consent of appointment.
2. Heads of major independent agencies not under a Secretariat.
3. Vehicles used for undercover law enforcement assignments.
4. Vehicles used by other State personnel in the performance of their official duties, if the identification of such vehicles would not be in the best interests of the State.

Unmarked license plates as permitted under this section shall not be transferred to another State vehicle without written approval from DBM.

A record of all State vehicles with unmarked license plates and the reasons therefore shall be filed with the MVA at the time application is made for tag renewal or new tags.

9.4 VEHICLE TRANSFERS

Transfers of State vehicles shall not be permitted between or among State agencies, which are not responsible to a common administrative head, except as approved by DBM and provided below:

1. When DBM determines that a reassignment from one Agency to another is in the State's best interest.
2. When a Department or Agency determines that it no longer requires a vehicle nor does another unit reporting to the same administrative head, the vehicle shall be declared excess.

All temporary vehicle reassignments or loans between State Agencies require the written approval of DBM prior to movement of the vehicle.

9.4.1 PROCEDURE FOR TRANSFER OF STATE VEHICLES DECLARED EXCESS

The Agency transferring the vehicle shall complete a DGS Excess Property Declaration (EPD) form, which should be submitted to DBM. The Department will then approve or disapprove the requests.

The EPD will be returned to the agency at which time they are responsible for ensuring that the original approval is forwarded to DGS.

9.4.2 PROCEDURE FOR ACQUISITION OF STATE VEHICLES DECLARED EXCESS

An Agency Head may request assignment of vehicles declared excess by another Agency. Any requests shall be made in writing to DBM.

DBM will approve or disapprove the request and will notify the requesting Agency in writing of the decision.

9.5 PROCEDURES FOR DISPOSITION OF STATE VEHICLES

Disposition of State vehicles shall be approved by DBM prior to disposition of the vehicle.

The method of disposition shall be determined by DGS. Procedures are addressed in the DGS/ISSD Inventory Control Manual. Disposition of motor vehicles is to be completed by the Agency in accordance with DGS motor vehicle disposition procedures.

The Agency shall report the disposal of vehicles in accordance with DGS Disposition Procedures. Agencies shall record all vehicle dispositions and salvage value in WebFleetMaster.

10. REPLACEMENT OF VEHICLES

10.1 REPLACEMENT CRITERIA

Vehicles may be replaced if:

- The vehicle accumulates at least 100,000 miles on or before the anticipated replacement date,
- The vehicle is at least 10 years old and DBM determines that it is appropriate to replace, or
- DBM determines that the repair expenses for a particular vehicle have exceeded acceptable parameters.

10.2 REPLACEMENT PROCESS

If an Agency requisitions a motor vehicle as a replacement for an existing motor vehicle, the vehicle for which replacement is being requested shall be declared excess personal property unless waived by DBM.

Executive cars eligible for replacement must be declared excess property unless reassigned internally to an eligible executive as a replacement vehicle.

If an Agency desires to retain, for any reason including use for spare parts, a motor vehicle for which a replacement is requested, a written request for a waiver shall be attached to the applicable purchase requisition. DBM will review the request and approve or disapprove it.

All Agency fleet managers shall assure that vehicles to be replaced are clean (inside and out) when traded in for replacement.

11. VEHICLE MODIFICATION

11.1 MODIFICATION PROHIBITION AND APPROVAL REQUIREMENTS

Modifications to State vehicles for personal reasons are prohibited.. If necessary for official State business, the Agency may approve the modification of a State vehicle including accessories such as hitches, racks, electronic devices, and signs. Bumper stickers are prohibited.

11.2 EMERGENCY VEHICLES

Section 11-118 of the Transportation Article limits the use of emergency lights to emergency vehicles that are designated by the Motor Vehicle Administration. Agencies shall not add emergency lights to any State vehicle that has not been designated as an emergency vehicle by the Motor Vehicle Administration.

The following types of vehicles are designated as emergency vehicles:

1. Law enforcement vehicles,
2. Fire and rescue vehicles,
3. Vehicles responding to hazardous materials spills,
4. Division of Correction Emergency vehicles,
5. Ambulances, and
6. Special vehicles used for emergency or rescue purposes.

Agencies with State vehicles that meet the definition of an emergency vehicle shall apply for approval to use emergency lights by contacting the Motor Vehicle Administration and requesting an "Application for Approval of Emergency Vehicles or Service Vehicles."

12. FUEL, TIRES AND BATTERIES

12.1 FUEL

State vehicles shall obtain fuel from the Statewide Automated Fuel Dispensing and Management System except for emergencies or rare and unusual instances when such use is not possible. Access/payment for using the Statewide Automated Fuel Dispensing System is accomplished using fuel service cards. Arrangements for fuel service cards are to be made by the Agency's fleet manager/coordinator. Agency fleet managers/coordinators may contact the DGS Inventory Standards and Support Service Division for information.

Agencies that procure their own fuel and oil in bulk from DGS contracts may use these supplies in lieu of the Statewide Automated Fuel Dispensing and Management System. Fuel and oil obtained in this manner must be recorded on WebFleetMaster by vehicle.

Fuel obtained from commercial sources during emergency or unusual circumstances shall be from locations offering the lowest price possible. The amount and value of all vehicle fuel purchased outside of the State fueling system shall be entered into WebFleetMaster by the Agency.

Managers of Agency fleets operating bi-fuel or flexible-fuel vehicles shall instruct drivers to use alternative fuel when available.

12.2 TIRES AND BATTERIES

Agencies **without** in-house maintenance and repair capabilities have the option of obtaining tires and batteries using the existing National Fleet Services Agreement for maintenance and repair or, if available, the Department of General Services (DGS) tire and battery contract. Agencies **with** in-house maintenance and repair capabilities shall continue to use the DGS tire and batteries contract, if available.

13. MAINTENANCE AND REPAIR

Agencies are to properly maintain all State vehicles in accordance with COMAR 21.02.03.03. Agencies are to be guided by oil change, lubrication and maintenance recommendations of the manufacturer. All vehicle warranties are to be utilized. Agencies without in-house maintenance capabilities shall use vendors approved by the Fleet Service Contractor to address their maintenance and repair needs.

13.1 DRIVER RESPONSIBILITIES

Authorized drivers who are assigned a vehicle share responsibility for assuring that their assigned vehicle is properly maintained. Agency fleet managers shall discuss the maintenance requirements, procedures, and the driver's specific responsibilities for maintenance with authorized drivers assigned a vehicle.

Authorized drivers of pool vehicles are responsible for reporting observed mechanical problems to the Agency fleet manager or designee.

13.2 USE OF NATIONAL FLEET SERVICE AGREEMENT

Agencies shall use the existing National Fleet Service Agreement for maintenance and repair of all sedans, light trucks and vans with the exception of:

- Agencies having in-house maintenance and repair capabilities.
- Emergency conditions when the vehicle cannot be safely driven or towed to a National Service vendor.
- Agencies exempted in writing by DBM.

Unless the Agency is exempt from use of the National Fleet Service Agreement the Agency shall enroll its sedans and LTV's with the National Fleet Service contractor per the established procedures.

13.3 NETWORK, PRICING AND REPAIR APPROVALS

Maintenance and repair services are available through a network of authorized facilities, dealerships, and national fleet service providers throughout the State. A current listing of participating vendors is available on the DBM Fleet website at <http://www.dbm.maryland.gov> (select *Other Services*, then select *State Fleet Management Services*).

Although some national fleet service providers offer standardized pricing, agencies are encouraged to comparison shop among network providers when time allows. Occasionally, prices may vary as a result of specials or sales offered by the various network participants, and it is always in the best interest of the State to obtain the most competitive prices.

Agency fleet managers shall consult with the National Fleet Service contractor automotive specialists prior to having repairs performed that are expected to exceed the established threshold. Agency fleet managers have the option of consulting with the National Fleet Service contractor specialists for repairs that are expected to be less than the established threshold.

Repairs, which are estimated to exceed twenty percent (20%) of the current market value of the motor vehicle, may not be made unless approved in writing by DBM.

13.4 ACCOUNT CARDS AND INFORMATION

Upon completion of the Agency vehicle enrollment process, the contractor will issue Maintenance Service Cards to Agencies for each vehicle enrolled. The Maintenance Service Cards allow authorized Agency drivers to obtain maintenance, repairs and emergency road services at approved network vendors. Maintenance Service Cards may only be used for expenses related to State vehicles. Under no circumstances are these cards to be left in the custody of service station or maintenance facility attendants.

The Agency is responsible for the control, use, misuse, theft or loss of the Maintenance Service Card. Written procedures shall be developed and implemented by the Agency prior to distribution of the Maintenance Service Cards to drivers. Procedures shall provide for:

1. Obtaining a signed statement from each driver indicating an understanding of proper Maintenance Service Card usage and acknowledging that the driver will be held accountable for proper use of the card including the immediate reporting of loss, theft or known unauthorized use of the card to the Agency fleet master or other appropriate position as designated by the Agency.
2. Maintaining a record keeping system identifying the vehicle to which the card is assigned, the name of the driver in possession of each service card by number, the date the card was issued and the date the card was returned.

In the event that a Maintenance Service Card is lost, stolen or being used without authorization, the Agency shall immediately notify the contractor in writing and the Agency's responsibility may cease seven (7) days following the contractor's receipt of the written notification. The Agency will use its best efforts to recover Maintenance Service Cards that are lost, stolen, or being used without authorization.

13.5 BILLING

The National Fleet Service contractor will compile and forward the invoices and billing statements to each Agency for payment.

The Agency is responsible for reviewing, approving and paying invoices for services provided through the National Fleet Service contract. The Agency will normally deal directly with the National Fleet Service contractor's account representative to resolve any billing discrepancies improper charges or service problems that may occur. The DBM Fleet Administration Unit may be contacted if unsuccessful problem resolution continues to occur with the National Fleet Service contractor.

14. VEHICLE INSPECTION PROGRAM

All State agencies must have a formal inspection program for State vehicles to assure that vehicles are clean, properly equipped, maintained, and in good repair. Requirements include that:

1. A responsible staff member is to be designated to implement this program.
2. Each vehicle shall be inspected annually and a copy of the vehicle inspection form will be completed (Appendix 8).
3. Inspection records are to be kept on file at Agency headquarters and shall be available for audit.
4. Unsatisfactory conditions shall be corrected within seven (7) days and such action recorded on the inspection sheet.

15. WEBFLEETMASTER – FLEET MANAGEMENT INFORMATION SYSTEM

WebFleetMaster is the official record and reporting method for State sedans/LTV's. All agencies shall comply with the requirements of the WebFleetMaster reporting system.

Each Agency shall maintain a copy of the WebFleetMaster Users Manual. This manual provides specific instructions for entering data, up-line reporting, and utilizing WebFleetMaster capabilities in support of Agency fleet management activities. A copy of the WebFleetMaster Users Manual is available in the help section of WebFleetMaster at [http://167.102.1.90/webfleetmaster/help/WebFleetMaster User Manual. html](http://167.102.1.90/webfleetmaster/help/WebFleetMaster%20User%20Manual.html).

The Agency shall be responsible for the timeliness and accuracy of data entry for WebFleetMaster, and up-line data submission to DBM.

Data entry requirements for State Agencies include:

- Vehicle Assignments
- Driver Commute Pay or Exemption Status
- Private Mileage Reimbursement
- Fuel and Maintenance Expenses not captured by State's Central Reporting Systems
- Vehicle Mileage
- Vehicle Acquisition/Disposition

The Agency shall complete on-line reporting to DBM by the 10th of each month. Support documentation for data entry shall be maintained on file in the Agency for audit and management control purposes.

The Agency shall be responsible for analyzing the WebFleetMaster management reports supplied by WebFleetMaster to optimize Agency fleet management effectiveness and economy.

Agencies requiring training on WebFleetMaster should contact DBM.

16. SUMMARY OF FLEET ACTIVITIES REQUIRING DBM APPROVAL

1. Operation of a State vehicle by a non-State employee to conduct State business.
2. Use and/or transfer of unmarked license plates on State vehicles.
3. All vehicle acquisitions:
 - new (direct purchase orders and requisitions),
 - used,
 - surplus,
 - leased, and
 - gifts/donations.

4. All temporary reassignments or loans of vehicles from one State Agency to another.
5. Replacement of vehicles with less than 100,000 miles.
6. All vehicle dispositions:
 - trade-ins
 - excess property vehicles.
7. Repair of State vehicles exceeding twenty percent (20%) of the current market value of the vehicle.
8. Exemptions from use of the existing National Fleet Service Agreement other than those exemptions listed in the manual.
9. Commute exemptions for qualified drivers.
10. Commute in vehicles to enhance vehicle security.

APPENDICES

**ACKNOWLEDGEMENT STATEMENT
POLICIES AND PROCEDURES FOR DRIVERS OF STATE VEHICLES**

TO: ALL DRIVERS OF STATE VEHICLES

Drivers are required to carefully read the Policies and Procedures for Drivers of State Vehicles and sign this Acknowledgement Statement at the bottom of the page. The signed statement must be retained by the Agency fleet manager.

Only drivers who have signed this Acknowledgement Statement shall operate state vehicles.

ACKNOWLEDGEMENT

The undersigned certifies he/she has read the Policies and Procedures for Drivers of State Vehicles.

I am aware that a violation of these rules would be cause for disciplinary action.

SIGNED: _____

NAME: _____

AGENCY: _____

CLASSIFICATION: _____

DATE: _____

(Please print or type all information)

Appendix 2

[illegible]

- The undersigned certify above statements are accurate and agree to make proper notification to the Department of Budget and Management in the event that a change in assignment or job function occurs which nullifies the accuracy of this certification. If there is a change in driver's job functions or assignment, a new MFOMS-18 must be completed and maintained on file at the agency.

The State-owned motor vehicle and assigned driver listed on the reverse are certified to be exempt from the State Vehicle Commute Charge by reason of the following: (Please provide any additional information noted below)

EXEMPTION 1: Assigned vehicle is not used to commute but remains garaged overnight at the authorized driver's assigned office. Vehicles that are driven by authorized drivers from their assigned office to a regional office, branch, or any other type of sub-unit of the State and parked overnight do not qualify under this exemption.

EXEMPTION 2: Vehicle is assigned to an authorized driver whose duties are primarily field assignments and who reports to the designated office on an average of once a week or less as certified by the Agency Head. Authorized drivers that are assigned to regional offices, branches, or any other type of sub-unit in lieu of headquarters do not qualify under this exemption.

Describe the authorized driver's usual assignment and normal office visits in accordance with Fleet Policy as shown on the mileage log for 12 previous months:

EXEMPTION 3: Vehicle is assigned to a Law Enforcement Officer

EXEMPTION 4: Vehicle is modified and equipped with highly specialized equipment necessary to respond to emergency needs and the assigned driver is subject to emergency call out at times other than scheduled working hours. Examples of vehicle types are bomb disposal trucks, haz-mat response trucks, and traffic signal repair trucks. Vehicles must be specifically designed and used to carry and store the highly specialized emergency equipment. Two-way radios, emergency lights, and other job incidental ancillary equipment do not qualify as highly specialized.

List vehicle type, modifications, and specialized equipment:

MFOMS-17 STATE AUTO COMMUTE CHARGE <small>(Revised 3/2004)</small>			
Agency Name:			
Agency Appropriation Code:			
Driver's Social Security No.:			
Driver's Home Address (include Street, City, State, Zip):			
Driver's Assigned Office (include Street, City, State, Zip):			
Purpose Code (Circle One): 1. Initiate Commute Charge for this Authorized Driver 2. Cancel Commute Charge for this Authorized Driver 3. Change Commute Charge for this Authorized Driver, i.e. change in commute miles, change in vehicle type			
BiWeekly Deduction Amount: \$	<u>One day</u> Round-Trip Commute Miles:	Vehicle Type (Circle One): <div style="display: flex; justify-content: space-around;"> SEDAN LTV </div>	
Please read the following statement before completing this form. I solemnly declare under penalty of perjury that to the best of my knowledge, information and belief, the contents of this form are true. I agree to make proper notification to the Department of Budget & Management in the event of any change, which affects the accuracy of this form.			
Employee Name (Print) <div style="border-bottom: 1px solid black; width: 100px; margin-top: 5px;"></div>	<div style="border-bottom: 1px solid black; height: 20px; width: 100%;"></div>	SIGNATURE <div style="border-bottom: 1px solid black; height: 20px; width: 100%;"></div>	
Supervisor Name (Print) <div style="border-bottom: 1px solid black; width: 100px; margin-top: 5px;"></div>	<div style="border-bottom: 1px solid black; height: 20px; width: 100%;"></div>	SIGNATURE <div style="border-bottom: 1px solid black; height: 20px; width: 100%;"></div>	
Fleet Manager Name (Print) <div style="border-bottom: 1px solid black; width: 100px; margin-top: 5px;"></div>	<div style="border-bottom: 1px solid black; height: 20px; width: 100%;"></div>	SIGNATURE <div style="border-bottom: 1px solid black; height: 20px; width: 100%;"></div>	
Date Signed		Contact Telephone No.	

An original of this form is to be forwarded to the State Fleet Administration Unit for processing. A copy will be returned to the agency after processing. For further information please see Section 5.2.

AUTO FRINGE VALUE CALCULATION/REPORTING FORM

Last Name	First Name	M.I.	Work Phone
Social Security No.	Agency Code	Auto Fringe Value	
SECTION I: COMMUTE RULE VALUATION METHOD			
1. Numbers of one-way commute trips from home to office or first duty station of the day during the reporting period.			
2. Numbers of one-way commute trips to home from office or last duty station of the day during the reporting period.			
3. Add lines 1 and 2 and enter sum here			
4. Multiply line 3 total by \$1.50 and enter result here and on line 19.			
SECTION II: CENTS PER MILE RULE VALUATION METHOD			
5. Total number of commute/personal miles driven before January 1, 2004.			
6. Total number of commute/personal miles driven after December 31, 2003.			
7. Multiply line 5 by \$0.36 and enter here.			
8. Multiply line 6 by \$0.375 and enter here.			
9. Enter salary and fringe benefits paid by the State for a State-provided chauffeur.			
10. Add lines 7,8, and 9 and enter sum here and on line 20.			
SECTION III: LEASE VALUE RULE VALUATION METHOD			
11. Annual lease value amount (from IRS table).			
12. Total number of miles driven.			
13. Total number of commute/personal use miles.			
14. Percentage of personal to total miles (line 13 divided by line 12.)			
15. Multiply line 11 by line 14 and enter here.			
16. Employer paid fuel – multiply line 13 by 5.5 cents and enter here.			
17. Enter salary and fringe benefits paid by the State for a State-provided chauffeur.			
18. Add line 15, 16 and 17 and enter sum here and on line 21.			
SECTION IV: TOTAL AUTO FRINGE VALUE			
19. Enter total from SECTION I, line 4 here.			
20. Enter total from SECTION II, line 10 here.			
21. Enter total from SECTION III, line 18 here.			
22. Enter total commute payments to State for use of a State vehicle.			
23. Subtract line 22 from line 19, 20, or 21; enter here and in section marked "AUTO FRINGE VALUE" above (do not enter value less than 0).			

SAMPLE

The information on this sheet is furnished by me and is true and correct to the best of my knowledge and belief.

Signature: _____

Date: _____

Accident Control, Reporting and Corrective Action

Section A

General Guidelines When Involved In an Accident

Section B

Reporting an Accident or Loss (Automobile Loss Report)

Section C

Instructions for Completing
Motor Vehicle Accident Investigation Guide (FS-1)

Section D

Accident Review Board Work-Sheet (FS-2)

Section E

Driver Corrective Action Program (FS-3)

Section F

General Insurance Information

Section G

Accident Definitions
Preventable Accident Guidelines

Section A

GENERAL GUIDELINES WHEN INVOLVED IN AN ACCIDENT

1. Stop as near to the scene as is safely practical; avoid blocking traffic and otherwise minimize potential danger to others.
2. If necessary, notify appropriate emergency medical and/or fire rescue personnel.
3. Make every effort to have a police officer respond to the accident scene. The officer must be requested to make a formal report. Failure to follow this procedure must be fully explained in writing (Attach to AUTO LOSS REPORT).
4. Provide identification to involved parties.
5. Protect State property.
6. Cooperate with police and emergency medical personnel.
7. **DO NOT** admit negligence or fault or offer settlements.
8. Obtain names and addresses of witnesses and all involved parties.
9. Record the license plate numbers of all involved vehicles.
10. Obtain drivers license and insurance information from other involved parties.
11. Notify appropriate Agency representative as soon as possible.
12. Accidents involving evacuation by emergency medical personnel shall be reported immediately by telephone to the Insurance Division of the State Treasurer's Office at 410-260-7684.
13. The State agency should advise the claimant/attorney to contact the Insurance Division of the State Treasurer's Office with questions at 410-260-7684 or 800-942-0162.
14. The Insurance Division personnel will instruct the claimant/attorney as to the proper procedure for filing a formal notice of claim.
MAKE NO OTHER COMMENTS. VOLUNTEER NO INFORMATION.
15. Forward a copy of any correspondence received relative to a claim to the Insurance Division of the State Treasurer's Office at 80 Calvert Street, Room 400, Annapolis, MD 21401.

Section B

REPORTING AN ACCIDENT OR LOSS

1. **Reporting Accidents – General**

The Motor Vehicle Liability Coverage is self-insured by the State and managed by the Insurance Division, Office of the State Treasurer. This program comes within the scope of the Maryland Tort Claims Act. All incidents and/or accidents involving a motor vehicle are to be reported IMMEDIATELY on the AUTO LOSS REPORT form. Accident reports are to be completed and distributed within 48 hours of the accident.

2. **State Vehicle Accidents** Involving vehicles, property and personal injury with non-State parties

When a State vehicle is involved in an accident, the designated Insurance Coordinator must complete the AUTO LOSS REPORT form and forward it to the Insurance Division, Office of the State Treasurer. Keep a photocopy for your agency.

If the accident is caused by the “other party’s” negligence, the State will make a claim directly against the other party and/or insurance company.

Please follow these procedures:

- (1) Submit AUTO LOSS REPORT form as above.
- (2) If the State vehicle is operable, obtain three (3) estimates (a minimum of two (2) with proper justification) and forward originals to the Insurance Division.
- (3) If the State vehicle is not operable, notify the Insurance Division of vehicle’s location immediately by phone. The vehicle’s location must also be shown on the AUTO LOSS REPORT form.
- (4) All questions should be directed to the agency Insurance Coordinator or to the Insurance Division of the State Treasurer’s Office.

If more than two (2) vehicles or two (2) injured parties are involved, use additional AUTO LOSS REPORT forms as necessary.

AUTO LOSS REPORT forms are **not** to be placed in the State vehicle.

DO NOT DELAY REPORTING THE ACCIDENT PENDING RECEIPT OF A COPY OF THE POLICE REPORT.

Accidents Involving Death or Bodily Injuries

Incidents/accidents involving serious bodily injuries, death, or evacuation by emergency medical personnel are to be reported by telephone within four (4) hours to the State Insurance Division. Follow the telephone report with a written report (AUTO LOSS REPORT form) to the State Treasurer's Office, Insurance Division.

3. State Vehicle Accident Involving Only Damage (Including Fire) to a State vehicle(s) with No Other Party Involved

The designated agency Insurance Coordinator completes the AUTO LOSS REPORT form and forwards to the Insurance Division.

Physical damage to State vehicles is covered under the State Insurance Trust Fund (SITF) less a \$1,000 deductible by agencies,

The SITF does not provide coverage for theft.

4. The AUTO LOSS REPORT Form Completion – General

The prompt and accurate reporting of all accidents is mandatory. While all information is important—please be sure the following areas have been completed before distribution:

- Date and time of loss.
- Your agency's name and State agency Appropriation Code.
- Your agency's telephone number.
- State vehicle identification number (serial or VIN#) and license plate (tag) number.
- Name, address and home phone number of State driver.
- All available information on damage to other property (description, name, address and phone number of owner) or on injury to other persons (name, address, phone numbers, age, extent of injury, whether or not transported to hospital, name of hospital, etc.).

Identify all witnesses to the accident. Give names, addresses, and phone numbers. It is imperative that all pertinent information be given. Prompt, accurate and complete information is essential to efficient claim adjustments.

Reports of incidents or accidents are to be submitted even if the party, individual(s) involved indicate they were not injured and no damage was done.

5. **Insurance Division Address and Phone Number**

State Treasurer's Office
Insurance Division
80 Calvert Street, Room 400
Annapolis, MD 21401

Telephone Number: 410-260-7684
FAX: 410-974-2865

Auto Loss Report forms can be obtained from the State Treasurer's Office website at www.treasurer.state.md.us. Click on the Insurance icon from the home page, and then locate the "Related Links" box. Select the Auto Loss Form. The form can be printed, completed and then faxed or mailed to the address above.

STATE OF MARYLAND AUTOMOBILE LOSS REPORT

State Treasurer's Office Insurance Division

80 Calvert Street
Annapolis, MD 21401

800-942-0162 410-260-7684 Fax 410-974-2865

Agency Name & Location:		Contact's Name & Address:	
Phone #		Phone #	
Date of Accident:		Time: AM/PM	
Location of Accident:			
Description of Accident:			
Police Authority Contacted: Yes No		Report #:	
Police Jurisdiction/Department:			
Agency Vehicle		Driver Using Vehicle With Permission? Yes No	
Year:	Make:	Model	Tag # VIN:
Owner:		Driver's Name: Driver's Address:	
Phone #: Contact Person:		Date of Birth: Phone #:	
Describe Vehicle Damage:			
<u>Other Vehicle or Property Damaged</u>			
Identify Vehicle or Property: Year:		Make:	Model: Tag #:
Insured? Y/N		Name of Insurance Company:	
Owner's Name:		Driver's Name:	
Address:		Address:	
Phone #		Phone #	
Describe Vehicle Damage:			
Injured Persons:			
Name & Address:		Name & Address	
Phone #	Age:	Phone #	Age:
Witnesses or Passengers:			
Name & Address:		Name & Address:	
Phone #		Phone #	
Reported by (Please Print or Type Name)		Signature:	
Phone #		Date:	

Section C

INSTRUCTIONS FOR COMPLETING MOTOR VEHICLE ACCIDENT INVESTIGATION GUIDE (FS-1)

A Motor Vehicle Accident Investigation Guide (FS-1) is completed each time an AUTO LOSS REPORT form is completed and submitted to the Insurance Coordinator. The driver completes the first page of the form. The second page is then completed and reviewed by the supervisor and subsequently by the agency Accident Review Board with the appropriate comments entered into the spaces provided. **PLEASE DO NOT DELAY THE SUBMISSION OF THE AUTO LOSS REPORT FORM PENDING COMPLETION OF THE FS-1.**

The Motor Vehicle Accident Investigation Guide (FS-1 is attached) **must be completed by the driver within 48 hours of the incident** and reviewed by the driver's supervisor for accuracy and completeness within 72 hours.

Upon completion of the driver's section, the supervisor reviews this information and completes the "Accident Review by Supervisor" section of the FS-1. For interpretations of preventable accidents, please refer to the Accident Definitions located in Section G of this Appendix. After the completion of the driver's section and the supervisor's section the FS-1 is forwarded to your agency's Insurance Coordinator and Accident Review Board for processing.

MOTOR VEHICLE ACCIDENT INVESTIGATION GUIDE (FORM FS-1)

THIS SECTION TO BE COMPLETED BY DRIVER

1. State Agency/Department: _____ 2. Agency Budget Code: _____

3. Driver's Name: _____ 4. Unit/Section: _____

5. Classification: _____ 6. Date & Time of Accident: _____

7. Location of Accident: _____ 8. Driver's License #: _____

9. Conditions (Please circle all that apply):

Daylight

Dawn

Dusk

Dark (street lights on)

Dark (street lights off)

Dark (no street lights)

Clear

Cloudy

Foggy

Rain

Snow

Severe Wind

Wet

Ice

Vehicle Defect Specify: _____

Unknown

10. Accident Investigation Information:

a. State Police ☐ Yes ☐ No

b. Local Police ☐ Yes ☐ No

b. Were citations issued to:

(1) State Driver ☐ Yes ☐ No

(2) Other Driver ☐ Yes ☐ No

11. Was State driver/passenger injured? ☐ Yes ☐ No

Were restraints in use? ☐ Yes ☐ No

12. Detailed Description of Accident: _____

Diagram: Below

13. Insurance Information for Other Vehicle:

Company: _____ Tag # of other vehicle: _____

Policy #: _____

ACCIDENT REVIEW BY SUPERVISORS

1. Driver's Name: _____ 2. State Vehicle Tag #: _____

3. Number of Accidents Within the Last 3 Years: _____ 4. Points on Driving Record: _____

5. I have reviewed this accident with the driver involved and have the following additional comments:

6. Was this accident preventable by State driver? Yes _____ No _____

7. Date: _____ Name: _____ Position: _____

8. Supervisor's Signature: _____ Phone: _____

Accident Review Board

1. An investigation and review of this accident in accordance with the State Motor Vehicle Accident Prevention Program indicates that it should be judged:
Preventable _____ Non-Preventable _____

2. Consideration of the facts indicates the following would be helpful in avoiding such accidents in the future:

3. Corrective action, if accident is found to be preventable. Please check all that apply.

- _____ 1. Verbal counseling.
- _____ 2. Require attendance at a driver improvement program/written reprimand.
- _____ 3. Temporary denial of driving privileges in a State vehicle.
- _____ 4. Permanent denial of driving privileges in a State vehicle.
- _____ 5. Suspension of one or more days in compliance with MD Personnel Rules.
- _____ 6. Requirement to reimburse State for damages to State property.

4. Date Driver Notified: _____ Driving Record Noted: () Yes () No

5. Review Board Signatures:

Section D

ACCIDENT REVIEW BOARD WORK SHEET (FS-2)

Documentation of Accident Review Board and agency determinations are to be maintained on the Accident Review Board Work Sheet found at the end of this section. Completed work sheets with copies of the appropriate AUTO LOSS REPORT form, FS-1 and FS-3 forms are to be maintained on file by the agency.

ACCIDENT REVIEW BOARD WORK SHEET (FORM FS-2)

Description of Accident:

Driver's License #: _____ Date of Occurrence: _____
License Tag No: _____ Date Notified: _____
Operator's Supervisor: _____
Attachments: _____

Date Operator _____ Advised
Notified of Hearing: _____ to have Counsel: ____ Y ____ N
Date(s) of Hearing(s) _____, _____, _____
Opinion:

- ☐ Preventable Accident
- ☐ Unpreventable Accident

Signature: _____ Date: _____

Signature: _____ Date: _____

Signature: _____ Date: _____

Recommended Board Actions:

Appeal Entered: ____ Y ____ N Date of Appeal: _____

Result of Appeal:

Agency Head Approval: (Corrective Action Only, i.e., Reprimand, Restitution, Etc.)

Signature: _____ Date: _____

Disposition of Report: _____

Date Case Closed: _____

Section E

DRIVER CORRECTIVE ACTION PROGRAM (FS-3)

1. General

The Corrective Action Program identifies corrective action to be taken. Agency Accident Review Boards may exercise other corrective action when, in their judgment, documented circumstances warrant.

Corrective actions are applied based on point totals listed on the Driver Evaluation Point System, Form FS-3 provided at the end of this section. This form is to be completed by the Accident Review Board of each agency as part of the accident review process when accidents are found to be preventable.

The Point Evaluation System takes into account two factors related to the driving history of the individual:

- **Violations – Last 3 Years** - A history of violations, even in the individual's personal automobile and on his or her own time indicates driving patterns which present a potential risk to the State.
- **Preventable Accident History:** - This factor relates only to preventable accidents in State vehicles over a 3-year period. The agency's Accident Review Board will have made the determination of preventability at the time of review of any prior accident.

2. Corrective Actions (CA) Point Guidelines

CA Points

- | | |
|------------------|---|
| <u>11 to 44</u> | <u>Verbal Counseling</u> - The operator is to be given a verbal counseling. A detailed discussion of the violation should take place with the operator. |
| <u>45 to 64</u> | <u>Driver Improvement Program:</u> The operator is required to attend a suitable driver improvement-program within 90-days of the occurrence. The operator must receive a certificate of completion. Additionally, the operator may receive an official reprimand in accordance with State Personnel law and regulations. This will be in writing and will include a statement of facts concerning the reprimand. The reprimand along with the driver improvement certification of completion will be filed in the operator's personnel file, and a copy of the reprimand will be given to the operator. |
| <u>65 to 114</u> | <u>Driver Improvement Training Serious Offender Program:</u> - The operator is required to attend the Statewide Driver Corrective Action Program Action Program conducted by the Maryland Department of Transportation (MDOT) or a training program, which is similar in content. The operator must attend this class within 90-days of the occurrence. The operator must receive written certification that the course has been successfully completed, a copy of which will be placed in the employee's personnel file. A reprimand may also be issued as above. |

- 115 to 199 **Damage Assessment:** - The operator is to be assessed for actual damages to State-owned property or vehicles up to a \$1,000 maximum, when damages are incurred while using a State vehicle in a manner which is in violation of State Fleet Policies, and that vehicle is a passenger automobile or a truck of a ¾-ton capacity or less. The Agency Review Board on a case-by-case basis shall assess damage to vehicles over ¾-ton capacity. A reprimand and attendance at driver improvement training – serious offender program is to apply to the operator as above.
- 200 to 225 **Suspension of Driving Privileges:** - The operator's privilege to operate State-owned vehicles or equipment shall be denied for a minimum of 6 months. At the end of this time, and upon completion of a driver's improvement – serious offender training program, and appropriate in-car evaluation by agency management, the operator may apply to the agency Accident Review Board for reinstatement of his/her driving privileges. If in the opinion of the agency Accident Review Board, and as approved by the Agency Head, this action is in the best interest of the State; the operator's privileges may be reinstated. The operator shall also be assessed for damages to the State-owned property and may receive a written reprimand as above.
- 226 to 270 **Suspension from Duties:** - The operator may be suspended without pay in accordance with State Personnel law and regulations. The Accident Review Board shall recommend the length of suspension. The operator is also required to attend the Driver Improvement Training – Serious Offender Program and be assessed for damages to the State-owned property.
- 271 & Over **Removal of Driving Privileges:** - The operator's privilege of operating State-owned vehicles shall be removed with no right of reinstatement for a period of 3 years. At the end of that time, and upon completion of a driver improvement – serious offender training program and appropriate in-car evaluation by agency management, the driver may reapply to the agency Accident Review Board for reinstatement as above. The operator may also be suspended without pay in accordance with DBM regulations, receive a written reprimand, and be assessed for damages to the State-owned property.

Must Appear Violations: - Operators charged with such violations shall have the privilege of operating State vehicles or equipment suspended immediately regardless of the total point value determined by the Driver Evaluation Point System. The suspension shall remain in effect until such time as the individual has completed such instruction or action as recommended by the agency Accident Review Board and approved by the agency head. The agency will notify DBM of the action taken.

In addition, the agency's Accident Review Board will determine such other corrective action as will apply to the operator, such as assessment for damages to the State-owned property or vehicles under the rules outlined above.

3. Example

Accident:

At 2:35 p.m. on May 27, 1990, a clear sunny day, a Parole and Probation Agent returning from a visit to a probationer's place of employment was traveling in a State vehicle north on U.S. Route 1 in the fast lane. Upon approaching the intersection of U.S. Route 1 and

Elkridge Landing Road, the State driver was unable to stop for a vehicle that had slowed to make a left turn onto Elkridge Landing Road. The State driver ran into the rear of the slowing vehicle.

Investigation:

The State driver's motor vehicle record shows 3 current points for speeding in the last 3 years. Police accident investigation reports indicate no drugs or alcohol were involved, but speed on the part of the State driver was a factor in the accident. The driver of the stopped vehicle sustained a neck injury with no injuries sustained by the State driver. There was approximately \$835 damage to the State vehicle. The State driver was not wearing the vehicle restraint device. A check of agency records reveals that the State driver has no prior preventable accidents.

Agency Action:

The agency's three-member Accident Review Board was convened and reviewed the described accident. The Board findings were that the accident was a preventable accident. The Board then completed the evaluation sheet to determine appropriate corrective action recommend for the driver. (See attached FS-3)

Disciplinary Results:

The points assigned total 55 (i.e., 25 + 10 + 20). The State driver will be assigned to a driver improvement training class and a letter of reprimand will be placed in the driver's personnel file. The reprimand will also note that the State driver did not use the vehicle's restraint device.

DRIVER SAFETY CORRECTIVE ACTION PROGRAM SYSTEM EVALUATION SHEET
(Form FS-3)

“A preventable accident is one in which the driver failed to do everything he reasonably could have done to prevent it.”

Points

Assessment

1) Motor Vehicle Driving Record Of Current MVA Violation Points, Last 3 Years	MVA POINTS	1	2	3	4+	
	VALUE	5 PTS	10 PTS	25 PTS	50 PTS	_____
2) Preventable Accident History (State Vehicles) Last 3 Years Only	ACCIDENT(S)	1ST	2ND	3RD	4TH	5TH
	VALUE	10 PTS	40 PTS	100 PTS	200 PTS	300 PTS _____
3) Speed Indicated as A Factor	VALUE	20 PTS				_____
4) Unauthorized Use	VALUE	50 PTS				_____
Must Appear Violations	See Corrective Action Point Guidelines.					
	TOTAL POINTS					_____

Corrective Action (applied only when the accident is determined to be preventable
- See Section E and Section G of this attachment)

11 - 44 PTS	Verbal Counseling
45 - 64 PTS	Driver Improvement Program/Written Reprimand
65 - 114 PTS	Driver Improvement Training, Serious Offender Program
115 - 199 PTS	Damage Assessments
200 - 225 PTS	Suspension of Driving Privileges
226 - 270 PTS	Suspension from Duties
271 - and over	Removal of Driving Privileges

PROCEDURES FOR STATEWIDE DRIVER CORRECTIVE ACTION PROGRAM

All Department and Agency Accident Review Boards (ARB) will review all vehicular accidents. The Agency or Department ARB will determine if the accident was preventable or non-preventable.

If “Preventable”, the ARB will take corrective action based on the State Vehicle Fleet Policies and Procedures for Drivers of State Vehicles Manual, along with any additional policies dealing with the Statewide Driver Corrective Action Program. If the ARB recommends attending the Statewide Driver Corrective Action Program, the first step is:

- I. The ARB chairperson of the department and/or agency will submit, in writing, to the Administrator—Statewide Driver Corrective Action Program, 7491 Connelley Drive, Hanover, Maryland 21076, phone number 410-582-5555.

Name of Employee/Authorized Driver:

Title:

Class:

Driver's License #:

Supervisor's Name:

Place of Employment”

Mailing Address:

Type of Accident (i.e., backing, speeding, etc.):

- II. Upon receipt of the letter or memo from the department and/or agency ARB chairperson, the Administrator will schedule the employee/participant for the Driver Corrective Action class.
- III. The Driver Corrective Action classes will be scheduled as required, contingent on having a minimum number of employees to justify conducting a class. Classes are two days in duration. The first day consists of classroom instruction and testing. The second day consists of employees being scheduled at staggered times throughout the day for in-car driver observation, instruction and evaluation.
- IV. Two or three weeks in advance of this class, the Administrator, Statewide Driver Corrective Action Program, will notify the employee, supervisor and ARB chairperson of the date, time and location of the class.

Note: If the employee fails to attend the class, the Administrator will advise the correct authority and notify the employee's ARB chairperson by phone.

Note: The only way an employee assigned to this program can be rescheduled or excused is to have the ARB chairperson call the Administrator and request that the employee be rescheduled.

- V. The program will follow the format as set forth in the Statewide Driver Corrective Action Program Outline (attached).

The employee must meet the minimum requirement for the first day, a score of 80% on the written or oral test. If this is not achieved, the Administrator will call the ARB chairperson and advise. The employee will be asked not to return for day two of the class but may be rescheduled for a future class.

- VI. The program will continue following the outline for the second day. During the In-Car Driver Evaluation, the instructor will observe and evaluate the employee's driving; address driving errors and/or habits; outline the problems and conditions that need to be corrected (i.e., visual, judgment, function, time and space). A minimum score of 80% is required to pass the driver evaluation test.
- VII. If in the judgment of the instructor, along with the facts, the employee has major problems with his driving, the Administrator will submit oral and written reports to the employee's ARB chairperson. Copies of evaluation forms and test scores will be sent to the employee's ARB chairperson.
- VIII. If there are no problems, a Driver Corrective Action Program letter/card will be issued to the employee indicating that the employee has successfully completed the classroom instruction and has successfully demonstrated the proper handling of a State vehicle. ARB chairpersons will be notified in writing of employees that have successfully completed this program.

STATEWIDE DRIVER CORRECTIVE ACTION PROGRAM OUTLINE

☐ DAY ONE

8:00 – 8:30 A.M. INTRODUCTION

1. Introduction of Instructors and Participants
2. Logistics and Opening Remarks
3. Overview of Training Program – Objectives and Expectations
4. True Confessions on Driving Habits or Why Are We Here?

8:30 – 9:00 A.M. THE SERIOUS TRAFFIC OFFENDER

1. Breaking the Law
2. Traffic Violations and Penalties
3. Accident Prevention and Reporting

9:00 – 9:30 A.M. INTRODUCTION/PRE-TRIP SAFETY ISSUES

1. Self-Appraisal Exercise
2. Overview of Defensive Driving Techniques
3. Safety Procedures and Restraint Systems
4. Mechanical Failure/Pre-Trip Inspections

9:30 – 9:45 A.M. BREAK

9:45 – 11:00 A.M. CRITICAL DRIVING ELEMENTS

1. Establishing a Cushion of Safety
2. Scanning Ahead/Behind/Sides of Vehicle
3. Safe Following Distance
4. Blind Spots, Passing and Tailgaters

11:00 – 12:00 P.M. SPECIAL CONDITIONS

1. Driving in Poor Weather Conditions
2. Skidding and Hydroplaning
3. Day and Night Time Visibility Problems
4. Driving Under the Influence of Drugs or Alcohol

12:00 – 1:00 P.M. LUNCH

1:00 – 2:00 P.M. SITUATIONAL DRIVING

1. Backing and Parking Situations
2. Stopping at Stop Signs and Signals
3. Making Right – Turns – on - Red
4. Driving in Commercial Areas

2:00 – 2:30 P.M. WRITTEN TEST

A written and/or oral test on driving information, Maryland State laws, and regulations and general knowledge. A minimum score of 80% is required to pass this test. Participants who do not achieve the minimum score will be instructed not to return for day two (2) of the program but may be rescheduled for a future class.

2:30 – 2:45 P.M. BREAK

2:45 – 3:30 P.M. DAY 1 WRAP-UP AND DAY 2 OVERVIEW

1. Day One Review and Critique/Questions and Answers
2. Overview Day Two Driving
3. View “One on One Coaching” video

☐ DAY TWO

IN-CAR DRIVER EVALUATION (ALL DAY)

Participants will be individually scheduled to attend the in-car driver evaluation portion of this program at staggered times throughout the day. The instructor will perform a one-on-one driving observation, instruction and evaluation of each participant, logging driver evaluation information on a Driver Checklist form. The driving course will include interstate driving, urban driving, rural driving, and an obstacle course with backing and parking tests.

The driving time will be approximately 45 minutes for each student. During the evaluation, the instructor will take time to correct driving errors and/or habits during the In-Car Evaluation.

A minimum score of 80% is required to pass this test. Participants who are successful in passing the in-car driver evaluation will be presented a Driver Corrective Action Program letter/card indicating that the employee has successfully completed the classroom instruction and has successfully demonstrated the proper handling of a State vehicle.

Section F

GENERAL INSURANCE INFORMATION

SUBJECT: STATE VEHICLES AND RELATED INSURANCE

I. STATE VEHICLES

- A. Liability – Damage to other vehicles, property and persons (including non-State employee passengers)

\$200,000 Limit per claimant is the maximum amount available under the Maryland Tort Claims Act.

Sovereign immunity is invoked for claims against the employee driver, and against the State for amounts above \$200,000.

Note: The State does not waive its immunity for punitive damages, interest before judgment, combatant activities of the State Militia, and tortious acts of employees not within the scope of their duties or if the injury is made with malice, or gross negligence, or due to unlawful acts.

The State agency will be responsible for the first \$1,000 of loss (liability and/or physical damage) associated with any one single occurrence.

- B. Physical Damage – Damage to the State vehicle itself, commonly called collision and comprehensive (no coverage for theft).

Adjustment: All reimbursement by the Treasurer will be on an “Actual Cash Value” basis. Differences between the actual value and the replacement cost of the vehicle must be satisfied by the State agency owning the vehicle.

Deductible: \$1,000 applies to all adjustments and must be satisfied by the State agency.

- C. Medical Payments and Personal Injury Protection (PIP)

1. The State does not provide medical payments or PIP coverage.
2. Compensation for injury to employees is provided by the Worker’s Compensation Program.
3. The injured employee may be able to collect PIP benefits by filing a claim under his/her own family automobile insurance company.

D. Towing and Storage

The State provides coverage, subject to the \$1,000 deductible per occurrence, if charges are a result of a covered loss.

E. Uninsured and Underinsured Protection

The State does not provide protection for either of these coverages. The employee may file and receive benefits under his/her automobile insurance policy.

F. Rental Car Coverage – The cost of a temporary replacement for a vehicle damaged as a result of a covered loss.

The State does not provide reimbursement for this coverage.

II. STATE VEHICLES – OUT-OF-STATE AND FOREIGN INSURANCE PROTECTION

A. Liability – Insured by the State Insurance Trust Fund.

1. Out-Of-State: State vehicles driven to other states within the United States are covered.
2. Foreign: If a State vehicle will be driven outside of the United States, proof of insurance coverage will be required when you cross the border. Please contact the Insurance Division Underwriter at 410-260-7196, as soon as you are aware that you will be traveling outside of the United States, to obtain a certificate of insurance. This will serve as the required evidence of insurance. It will indicate the \$200,000 per person limit under the Maryland Tort Claims Act. Have the vehicle year, make, model, serial number, tag number, driver(s) name(s), and the dates of travel when you contact the Insurance Division.

Certificates of coverage evidencing \$200,000 are required to cross the border.

B. Physical Damage – The same protection is afforded as Under I (B).

III. NON-OWNED VEHICLES

- A. Under Contract – Vehicles owned by outside interests (example, U.S. Government, Counties, and Municipalities) but used by Maryland State agencies. The user should get a Certificate of Insurance from the Agency owning the vehicle. There may be cases when both the vehicle owner's coverage, and the State coverage will apply. The coverage provided is the same as under Sections I and II above.
- B. Leased Vehicles – Vehicles owned by others and leased (rented) to the State on a long-term basis (usually 30 days or more). In virtually every situation, the lessor will require commercial insurance with minimum limits. Please contact the Insurance Division within the Treasurer's office prior to entering into an agreement. Negotiation with the lessor concerning the acceptance of State coverage is possible. If favorable negotiation is not possible, insurance must be purchased and charged (debited) to the State agency.

C. Rented Vehicles – Vehicles owned by others and rented to the State on a short-term basis (usually a few days – Hertz, Avis, etc.)

1. Liability – The State provides the same protection as described in Section I (A) regardless of whether the vehicle is rented within or outside the State.
2. Physical Damage – The rental company requires that the renter (State agency or employee) be responsible for most accidental damage to their vehicle. This provision is included in the rental contract. In order to eliminate this provision (waive) and make the rental company responsible, an addendum is required. This addendum is called “Collision Damage Waiver.”

The State has elected to provide this coverage. **Do not sign or agree to the “Collision Damage Waiver.”**

Each State agency will be responsible for the first \$1,000 of damages.

3. Notation – When signing the rental agreement, include your name, State agency and the State of Maryland, and please read all of the provisions.
4. Foreign Rental Vehicles (Outside the USA)
The protection of the Maryland Tort Claims Act cap is only assured in the State of Maryland. Outside the country, language and laws differ, and defense by the Office of the Attorney General is not feasible, so it is recommended that insurance be purchased through the rental car company when outside the USA.

D. Privately Owned Vehicles Used on State Business

1. Liability – The State provides liability (only) coverage for all privately owned vehicles driven by authorized persons on State business. See Section I (A).

Employee injury – See Worker’s Compensation – I (C.2).

PIP (medical, etc.) coverage may be available from your family automobile insurance coverage.

Always notify both our Insurance Division and your family automobile insurance agent of **all** incidents or accidents. Failure to notify both could jeopardize your legal status in related claims and lawsuits.

2. Out-of-State – Liability protection is afforded out of state, with one major difference. The Maryland Tort Claims Act cap of \$200,000 is not law in other states. When suit is brought outside the State of Maryland, the court in the other state must decide if they will honor Maryland’s \$200,000 cap, or not. This means losses may be much higher outside the State of Maryland. The conditions that the use of the vehicle must be within the scope of the employee’s job duties, and that there being no gross negligence or malice still apply, as with State owned vehicles.

A second major consideration is, as with State owned vehicles, the State employee driver does not have immunity out-of-state, unless it is granted by that State under the doctrine of comity.

- a. Your family automobile policy may respond.
- b. If the claim is filed in Maryland, the Tort Claims Act may apply (this action is unusual).

3. Physical Damage

- a. There is no protection available from the State.
- b. Your family automobile policy must provide coverage.

IV. COMMERCIAL INSURANCE

Several State agencies have a variety of commercial automobile insurance coverages. Each policy must be reviewed in order to determine its effect on the above statements.

V. CLAIMS

Procedures and guidelines are addressed elsewhere. If you have a pressing question, telephone the Claims Unit in the Insurance Division at 410-260-7684.

The purpose of this position paper is to satisfy numerous inquiries. It is not the complete or final work on this subject. The intent is merely to place a general guide into your hands so that you will have a starting point to pursue a coverage question or to resolve a potential claim.

If you have any additional questions, please contact the Insurance Division at 410-260-7684.

Section G

ACCIDENT DEFINITIONS **PREVENTABLE ACCIDENT GUIDELINES**

A. Intersections:

It is the responsibility of State vehicle drivers to approach, enter and cross intersections prepared to avoid accidents that might occur through the action of other drivers. Complex traffic movement, blind intersections, or failure of the “other driver” to conform to laws or traffic control devices will not automatically discharge an accident as “not preventable.”

B. Vehicle Ahead:

Regardless of the abrupt or unexpected stop of the vehicle ahead, your driver can prevent front-end collisions by maintaining a safe following distance at all times. A safe following distance is one that allows the driver sufficient time, distance, and vision requirements to avoid an accident to reduce traffic conflict. This includes being prepared for possible obstructions on the highway, either in plain view or hidden by the crest of a curve of a roadway. Overdriving headlights at night is a common cause of front-end collisions. Night speed should not be greater than that which will permit the vehicle to come to a stop within the forward distance illuminated by the vehicle’s headlights.

C. Struck From Behind:

Investigation often discloses that drivers risk being struck from behind by failing to maintain a margin of safety in their own following distance. Rear-end collisions preceded by a roll-back, an abrupt stop at a grade crossing, when a traffic signal changes, or when your driver fails to signal at a turn at an intersection, should be charged PREVENTABLE. Failure to signal intentions or to slow down gradually should be considered PREVENTABLE.

D. Passing:

Failure to pass safely indicates faulty judgment and the possible failure to consider one or more of the important factors a driver must observe attempting the maneuver. Unusual actions of the driver being passed or of oncoming traffic might appear to exonerate a driver involved in a passing accident; however, the entire passing maneuver is voluntary and the driver’s responsibility.

E. Being Passed:

Sideswipes and cut-offs involving a driver, while he is being passed, are preventable when he fails to yield to the passing vehicle by slowing down, moving to a right where possible, or maintaining speed, whichever action is appropriate.

F. Oncoming:

It is extremely important to check the action of the State driver when involved in a head-on or sideswipe accident with a vehicle approaching from the opposite direction. The exact location of a vehicle, prior to and at the point of impact, must be carefully verified. Even though an opposing vehicle enters your driver's traffic lane, it may be possible for your driver to avoid the collision. For example, if the opposing vehicle was in a passing maneuver and your driver failed to slow down, stop, or move to the right to allow the vehicle to re-enter his lane, he has failed to take action to prevent the occurrence. Failing to signal the opposing driver in an appropriate manner should also be taken into account.

G. Fixed Objects:

Collisions with fixed objects are preventable. They usually involve failure to check or properly judge clearances. New routes, strange delivery point, resurfaced pavements under viaducts, inclined entrances to docks, marquees projecting over traveled section of road, and similar situations are not, in themselves, valid reasons for excusing a driver from being involved. A State driver must be constantly on the lookout for such conditions and make necessary allowances relative to speed and vehicle positioning.

H. Pedestrians:

Traffic regulations and court decisions generally favor the pedestrian hit by a moving vehicle. An unusual route of a pedestrian at mid-block or from between parked vehicles does not necessarily relieve a driver from taking precautions to prevent such accidents. Whether speed limits are posted or the area is placarded with warning signs, speed too fast for conditions may be involved. School zones, shopping areas, residential streets, and other areas with special pedestrian traffic must be traveled at reduced speeds equal to the particular situation. Young and inexperienced operators generally operate bicycles, motor scooters, and similar equipment. The driver who fails to reduce his speed when this type of equipment is operated within his sight distance has failed to take necessary precautions to prevent an accident. Keeping within posted speed limits is not taking the proper precaution when unusual conditions call for voluntary reduction of speed.

I. Private Property:

When a driver is expected to enter unusual locations, construction sites, etc., or driveways not built to support heavy commercial vehicles, it is the driver's responsibility to discuss the operation with the proper authorities and to obtain permission prior to entering the area.

J. Passenger Accident:

Passenger accidents in any type of vehicle are preventable when they are caused by faulty operation of the vehicle. Even though the incident did not involve a collision of the vehicle, it must be considered preventable when your driver stops, turns or accelerates abruptly. Emergency action by the State driver to avoid a collision that results in passenger injury should be checked if proper driving prior to the emergency would have eliminated the need for the evasive maneuver. The driver is responsible for the utilization of passenger restraint devices.

K. Non-Collision:

Many accidents, such as overturning, jack-knifing, or running off the road, may result from emergency action by the driver to preclude being involved in a collision. Examination of his driving procedure prior to the incident may reveal speed too fast for conditions, or other factors. The State driver's action prior to involvement should be examined for possible errors or lack of defensive driving practice.

L. Miscellaneous:

Projecting loads, loose objects falling from the vehicle, loose tarpaulins, or chains, doors swinging open, etc., resulting in damage to the vehicle, cargo, or other property or injury to persons, are preventable when the driver's action or failure to secure them are evidenced. Cargo damage, resulting from unsafe vehicle operation, is preventable by State drivers.

M. Parking:

Unconventional parking locations, including double parking, failure to put out warning devices, etc., generally constitute evidence for judging an accident preventable. Rollaway accidents from a parked position normally should be classified preventable. This includes unauthorized entry into an unlocked, unattended vehicle, failure to properly block wheels or to turn wheel toward curb to prevent vehicle movement.

N. Backing:

Practically all-backing accidents are preventable. A driver is not relieved of his responsibility to back safely when a guide is involved in the maneuver. A guide cannot control the movement of the vehicle; therefore, a driver must check all clearances.

Conclusion:

It is impossible to describe in detail the many ways a driver might prevent an accident without being primarily or legally responsible. The above guide merely emphasizes the most frequent occurrences. The following definition of **Defensive Driving** should be applied to all accidents involving State drivers:

A **Defensive Driver** is one who commits no driving errors himself and makes all reasonable allowances for the lack of skill or improper driving practice of the other driver. A **Defensive Driver** adjusts driving to compensate for unusual weather, road, and traffic conditions, and is not tricked into an accident by the unsafe actions of pedestrians and other drivers. By being alert to accident inducing situations a defensive driver recognizes the need for preventative action in advance and takes the necessary precaution to prevent the accident. A **Defensive Driver** knows when it is necessary to slow down, stop, or yield his right-of-way to avoid involvement.

Agency Remedial Fleet Safety Training Activity Report

Name of Agency: _____

Address: _____

Contact Person: _____

Telephone #: _____

E-Mail Address: _____

1.	How many employees were referred for remedial fleet safety training this year?	
2	How many of these employees received the required remedial fleet safety training?	
3.	How many of these employees need training but have not yet been trained?	
4	How many employees have not received the required remedial training from the previous year?	

Please list the source(s) of remedial safety training provided to employees during the current year:

If you have employees noted in item #4 above, please explain how you intend to meet the required training need of those employees who have yet to receive remedial training. Include a timeline for this training:

VEHICLE INSPECTION REPORT

Agency

INSPECTION:

Date of Inspection: _____ Mileage: _____ Inspected By: _____
 Year _____ Make & Model: _____ Body Style: _____
 Driver: _____

 (First) (Middle) (Last)
 Vehicle VIN: _____ License No.: _____

LAST SERVICE: Oil: _____ Lube: _____ Tune-up: _____
 (date) (date) (date)

Mileage: _____ Mileage: _____ Mileage: _____
 Indicate: SATISFACTORY "S" UNSATISFACTORY "U"

Tire Wear: R.F. ____ L.F. ____ R.R. ____ L.R. ____ Spare ____ Glass (Windows): ____
 Mirrors: ____

Lights: Front ____ Rear ____ Signal ____ Exterior: Scratches ____ Paint Condition ____ Dents ____

Interior: Cleanliness ____ Registration Card ____ Mileage Forms ____ Accident Package ____

IS OWNER MANUAL FOLLOWED ON GENERAL VEHICLE MAINTENANCE: _____

ASSIGNED DRIVER'S REMARKS:

Steering: ____ Brakes: ____ Acceleration: ____ Transmission: ____ Other: ____

TO BE MONITORED BY INSPECTOR:

- Any unsatisfactory item must be corrected within 7 days.
- State repair contracts are to be used if in-house facilities are not available.
- All accidents are to be investigated by police and required reports submitted.

Failure to maintain Inspection Reports or to use State contracts and warranties may result in loss of State vehicle assignment.

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